

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

VAN A. LUPO,

Plaintiff,

V.

BANK OF AMERICA CORPORATION  
and SHERYL LUPO,

Defendants.

Civil Action No. 04-40202-FDS  
Hon. F. Dennis Saylor IV

Complaint Filed: September 29, 2004

# MILITARY AFFIDAVIT

I, Jill Shedd, on behalf of Van Lupo plaintiff, herein on oath and depose and say that Sheryl Lupo, defendant herein is not in the military service of the United States or any of its allies, as defined in the Servicemembers Civil Relief Act as evidenced by the following facts:

1. Sheryl Lupo is a 53 year old woman and to the best of plaintiff's knowledge as never served in the military.
2. To the best of plaintiff's knowledge Sheryl Lupo currently resides in Huntington Beach, California at 9842 Hamilton Avenue, Apt. 28, Huntington Beach, CA 92646.

Signed under the pains and penalties of perjury.

/s/ Jill C. Shedd

Jill C. Shedd

Bar No. 652488

**CERTIFICATE OF SERVICE**

I, Jill C. Shedd, certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent via first-class mail to those indicated as non registered participants and upon Ms. Sheryl Lupo, 9842 Hamilton Avenue, Apt. 28, Huntington Beach, CA 92646 and 9081 Aloha Drive, Huntington Beach, CA 92646 on November 24, 2006.

/s/ Jill C. Shedd

Jill C. Shedd